

Docket No.: AM101204 US/WYNC-0328
Application No.: 10/659,160
Office Action Dated: November 24, 2004

PATENT

REMARKS

Claims 1 to 35 are pending in this application and subject to restriction under 35 U.S.C. § 121 as follows:

Group	Claims	Classification	Subject Matter
I	4, 17-22, 26-30, and 1-3, 5, 7-16, 35	Class 546, subclass 101	When X-Y is $N=CR_4-CR_6=CH$ in compounds of formula I; dihydro[1,4]dioxino[2,3-f]quinolinyl compounds
II	6, 23-24, and 1-3, 5, 7-16, 35	Class 546, subclass 197+	When X-Y is $N-CR_8=CH$ in compounds of formula I; dihydro[1,4]dioxino[2,3-e]indolyl compounds
III	25, 1-2, 5, 7-16, 35	Class 546, subclass 198	When X-Y is $N-CR_4-O$ in compounds of formula I; dihydro[1,4]dioxino[2,3-g][1,3]benzoxazolyl compounds
IV	1-2, 5, 7-16, 35	Not specified	Compounds where X-Y forms ring not in Groups I-III
V	1-2, 5, 7-16, 35	Class 546, subclass various	Compounds where X and Y are independent substituents
VI	33	Class 514, subclass various	Method of treating depression
VII	34	Class 514, subclass various	Method of treating obsessive-compulsive disorder, etc.
VIII	32	Class 514, subclass various	Method of treating disorders not covered by Groups VI and VII

A further election of a single compound and/or a single disease/pathology is also required for Groups IV to VIII.

Restriction Requirement

Applicants hereby elect *with traverse* to prosecute subject matter of **Group I**. Applicants traverse the restriction requirement and request reconsideration thereof. It is applicants' understanding that they will be entitled, as a matter of right, to rejoinder of the process claims of Groups VI to VIII, which depend from or otherwise include all the limitations of elected Group I. Nonetheless, applicant request reconsideration of the restriction between Group I and Groups VI to VIII. If the compounds of Group I are examined and deemed to be patentable, it follows that any method of treatment employing the same compounds are necessarily novel and unobvious. Accordingly, it would appear that

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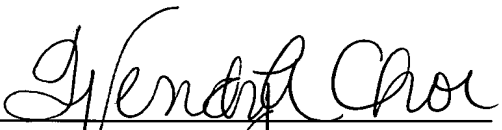
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examining all of the claims of Groups I and Groups VI to VIII in a single application would not be unduly burdensome.

Conclusions

Applicants respectfully request reconsideration of the restriction requirement in view of the remarks. If the Examiner has any questions, the Examiner is invited to call the undersigned at (215) 557-3861.

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